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No. 91-356

Supreme Court, U.S.
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In The
Supreme Court of the United States
October Term, 1991

THE MEAD CORPORATION,

Petitioner,

v.

B.E. TILLEY, *et al.*,

Respondent.

On Petition For A Writ Of Certiorari
To The United States Court Of Appeals
For The Fourth Circuit

OPPOSITION TO MOTION OF AMICI CURIAE
TO FILE SUPPLEMENTAL BRIEF

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COME NOW respondents in the above captioned proceeding and respectfully request that the Court deny the Motion Of Amici Curiae For Leave To File A Supplemental Brief in support of the Petition for Certiorari. In support of their request, respondents show as follows:

1. Out of an overdeveloped sense of sportsmanship, respondents reluctantly agreed that Amici Curiae might file a Brief In Support Of The Petition For Certiorari in this proceeding.

2. Rule 15 of the Rules of the Supreme Court of the United States provides that only a party may file a Supplemental Brief. Rule 37 further provides that "a brief of an *Amicus Curiae* . . . may only be filed if submitted within the time allowed for filing a brief in opposition to the Petition for a Writ of Certiorari . . .".

3. As *Amici Curiae* know full well, Respondents neither intended to nor did consent to their assuming the posture of a litigant in this proceeding and filing yet another brief. Amicus' statement to the effect that we consented to their filing a Supplemental Brief is at best overreaching.

4. This Court requested the Solicitor General's views and they, together with the voluminous pleadings previously filed, fully, if not fulsomely, inform the Court of the considerations bearing upon the petition. There is no need for further briefing.

WHEREFORE respondents respectfully request that the motion of *Amici Curiae* To File A Supplemental Brief be denied.

Respectfully submitted,

B.E. TILLEY, et al.

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